

17857. Adulteration and misbranding of Sozodont liquid. U. S. v. 11½ Dozen Packages of Sozodont Liquid. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 25291. I. S. No. 11453. S. No. 3554.)

Examination of samples of a product, labeled as Sozodont liquid, having shown that it was labeled "antiseptic," whereas it was not, and that the labels bore claims of therapeutic properties that the article did not possess, the Secretary of Agriculture reported the matter to the United States attorney for the Northern District of California.

On November 6, 1930, the United States attorney filed in the District Court of the United States a libel praying seizure and condemnation of 11½ dozen packages of Sozodont liquid, remaining in the original unbroken packages at San Francisco, Calif., consigned by Hall & Ruckel (Inc.), alleging that the article had been shipped from New York, N. Y., in part on or about July 20, 1930, and in part on or about August 23, 1930, and transported from the State of New York into the State of California, and charging adulteration and misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it consisted essentially of sodium salicylate, sodium borate, saccharin, soap, menthol, methyl salicylate, alcohol, water, and coloring matter. Bacteriological examination showed that the article was not antiseptic.

It was alleged in the libel that the article was adulterated in that it was sold under the following standard of strength, (carton and bottle labels) "Antiseptic," whereas it fell below such professed standard, in that it was not antiseptic.

Misbranding was alleged for the reason that the statement on the carton and bottle labels, "Antiseptic," was false and misleading. Misbranding was alleged for the further reason that the statements on the carton, "Sozodont Liquid is a good medium for use in massaging the gums. The gums should be thoroughly massaged to reduce the chances of pyorrhea," were false and fraudulent in that the said statements conveyed to purchasers the impression and belief that the article had curative or therapeutic value in the prevention of pyorrhea, whereas it contained no ingredient or combination of ingredients capable of producing such effect.

On January 3, 1931, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

17858. Misbranding of Cuticura pills. U. S. v. 32 Packages of Cuticura Pills. Consent decree of condemnation, forfeiture, and destruction. (F. & D. No. 23963. I. S. No. 010617. S. No. 2181.)

Examination of samples of a drug product, labeled as Cuticura pills, from the herein-described interstate shipment having shown that the labels bore claims of curative and therapeutic properties that the article did not possess, the Secretary of Agriculture reported the matter to the United States attorney for the Southern District of New York.

On August 20, 1929, the United States attorney filed in the United States District Court a libel praying seizure and condemnation of 32 packages of Cuticura pills, remaining in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by the Potter Drug & Chemical Corporation, from Malden, Mass., on or about April 1, 1929, and had been transported from the State of Massachusetts into the State of New York, and charging misbranding in violation of the food and drugs act as amended. On March 5, 1930, by agreement of counsel, an amended libel was filed.

Analysis of a sample of the article by this department showed that it consisted essentially of quinine sulphate, ferrous carbonate, capsicum, nux vomica alkaloids, iodides, and aloin.

It was alleged in the libel as amended that the article was misbranded in that the following statements appearing on the display carton, wrapper of retail package, and bottle label, regarding the curative or therapeutic effects of the said article, were false and fraudulent, since the article contained no ingredients or combination of ingredients capable of producing the effects claimed: (Display carton) "Cuticura Pills. * * * For * * * Chills, Grip, * * * Digestive * * * For Sick Headache, Indigestion * * * Assists in Promoting General Health;" (wrapper, retail package) "Cuticura Pills * * * Digestive * * * for use in the treatment of skin and scalp affections and for promoting the general health;" (bottle label) "Cuticura